

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VALTRUS INNOVATIONS LTD.,

Plaintiff,

v.

SAP AMERICA, INC. and SAP SE,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00021-JRG

ORDER

Before the Court is the Unopposed Motion to Amend Briefing Schedule for Defendants SAP America, Inc. and SAP SE’s Motion for Intradistrict Transfer (the “Motion”) filed by Plaintiff Valtrus Innovations Ltd. (“Plaintiff”). (Dkt. No. 28.) In the Motion, Plaintiff requests the Court for an Order amending the briefing schedule for Defendants SAP America, Inc. and SAP SE’s (“Defendants”) Motion for Intradistrict Transfer Under 28 U.S.C. § 1404(a) (the “Transfer Motion,” Dkt. No. 22). (Dkt. No. 28 at 1.) Plaintiff explains that “Defendants’ Transfer Motion presents factual issues about the evidence and witnesses that will be relevant to this case and the location(s) of such evidence and witnesses,” requiring venue discovery. (*Id.*) The Motion is unopposed. (*Id.* at 1, 4.)

Having considered the Motion, finding good cause for modification to the briefing schedule, and noting its unopposed nature, the Court is of the opinion that the Motion should be and hereby is **GRANTED as modified**. Accordingly, it is **ORDERED** that the parties may conduct venue discovery in accordance with the following:

1. Plaintiff shall be entitled to serve the following within 3 business days of entry of this Order:
 - a. Up to 10 Requests for Production.
 - b. Up to 8 Interrogatories.
2. Plaintiff shall take no more than 13 hours of deposition testimony during venue discovery. Depositions of Defendants and their witnesses shall be limited to 10 hours.
3. Defendants shall respond to Plaintiff's discovery requests within 14 calendar days after service.
4. If Plaintiff disputes the sufficiency of any of Defendants' venue discovery responses, Plaintiff shall raise all such disputes in a motion within 7 days after service of the allegedly insufficient responses. Prior to filing such a motion, the parties must fully comply with the substantive and procedural conference requirements of Local Rule CV-7(h) and (i). Any such motion challenging the sufficiency of Defendants' venue discovery responses, or any response thereto, shall not exceed 7 pages. Attachments to such a motion, or a response thereto, shall not exceed 5 pages. No further briefing is allowed absent a request or order from the Court.
5. Venue discovery shall close by the later of:
 - a. If Plaintiff does not raise a dispute, May 15, 2024.
 - b. If Plaintiff files a motion disputing the sufficiency of any of Defendants' venue discovery responses:
 - i. 14 calendar days after the Court resolves the motion.

- ii. However, if the Court orders additional compliance, venue discovery shall close 14 calendar days from the Court-ordered date for such compliance.
6. Plaintiff shall file its brief in opposition to Defendants' Transfer Motion within 14 calendar days of the close of venue discovery. Defendants' reply and Plaintiff's sur-reply are due within the deadlines as set forth in the Local Rules.
7. The venue discovery allowed by this Order shall not count against the discovery limitations set forth in the parties' forthcoming Proposed Discovery Order.

So Ordered this

Apr 3, 2024



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE